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Express Mail Label No.: EV 493480444 US
Date of Deposit: April 12, 2005

DOCKET NO.: D0188.70165US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SANCOFF et al
Serial No.: 10/760,634
Confirmation No.: 8269
Filed: 01/20/2004
For: APPARATUS AND METHOD FOR PLACING SUTURE WIRES INTO
TISSUE FOR THE APPROXIMATION AND TENSIONING OF
TISSUE
Examiner: Not Yet Assigned
Art Unit: 3731

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement;
- PTO Form 1449 with cited foreign references; and
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

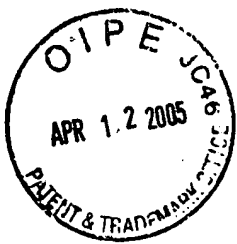
Respectfully submitted,

By:


Walt Norfleet, Reg. No.: 52,078
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: D0188.70165US02
Date: April 12, 2005
xxxNDDxxx

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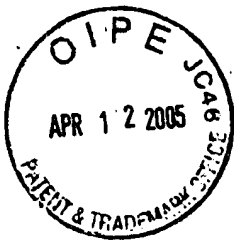
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P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The above-identified U.S. application claims priority to U. S. Patent Application Serial No. 09/706,472, now U.S. Patent No. 6,679,895.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>
10/014991	12/11/01
10/051322	01/18/02
10/141692	05/07/02
10/202530	07/23/02
10/243556	09/13/02
10/352600	01/28/03
10/378805	03/04/03
10/396927	03/25/03
10/441652	05/19/03
10/440805	05/19/03
10/667845	09/22/03
10/681626	10/08/03
10/737197	12/16/03
10/764837	01/26/04
10/848512	05/18/04
10/897975	07/23/04
10/919792	08/17/04

The Applicant would like to bring to the Examiner's attention the enclosed copy of the International Search Report from Patent Cooperation Treaty Application No. PCT/US00/41900, dated November 16, 2001, which corresponds to U. S. Patent Application Serial No. 09/706,472, now U.S. Patent No. 6,679,895.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

Applicant believes that the relevance of reference DE 29 27 143 may be gleaned from figures within the reference. Additionally, Applicant informs the Examiner that US 4,30,560, which is also cited, is an English language family of DE 29 27 143.

The following are remarks concerning the other information cited:

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

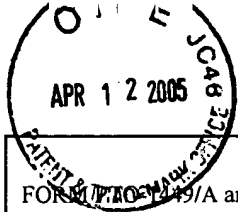
An early and favorable action is hereby requested.

Respectfully submitted,

By:


Walt Norfleet, Reg. No. 2,078
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: D0188.70165US02
Date: April 12, 2005
xxxNDDxxx



FORM PTO-149/A and B (Modified)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 10/760,634

ATTY. DOCKET NO.: D0188.70165US02

FILING DATE: 01/20/2004

CONFIRMATION NO.: 8269

APPLICANT: SANCOFF et al

GROUP ART UNIT: 3731

EXAMINER: Not Yet Assigned

Sheet 1 of 6

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		919,138		DRAKE ET AL.	04/20/1909
		1,449,087		BUGBEE	03/20/1923
		2,579,192		KOHL	08/15/1950
		2,613,562		CLARK	05/27/1947
		2,897,820		TAUBER	10/23/1956
		3,013,559		THOMAS	12/19/1961
		3,404,677		H.A. SPRINGER	07/08/1965
		3,470,875		GREEN	12/08/1970
		3,545,444		GREEN	12/08/1970
		3,584,628		GREEN	6/15/1971
		3,675,688		BRYAN	7/11/1972
		3,735,762		BRYAN	5/29/1973
		3,802,438		WOLVEK	4/9/1974
		3,807,407		SCHWEIZER	4/30/1974
		3,840,017		VIOLANTE ET AL.	10/8/1974
		3,841,521		JARVIK	10/15/1974
		3,858,783		KAPITANOV	1/7/1975
		3,877,570		BARRY	4/15/1975
		3,959,960		SANTOS	6/1/1976
		4,006,747		KRONENTHAL ET AL.	2/8/1977
		4,027,608		ARBUCKLE	6/7/1977
		4,103,690		HARRIS ET AL.	8/1/1978
		4,109,658		HUGHES	8/29/1978
		4,204,541		KAPITANOV	5/27/1980
		4,235,177		ARBUCKLE	11/25/1980
		4,235,238		OGIU ET AL.	11/25/1980
		4,258,716		SUTHERLAND	3/31/1981
		4,306,560		HARRIS ET AL.	12/22/1981
		4,453,661		GENYK	6/12/1984
		4,462,404		SCHWARZ ET AL.	7/31/1984
		4,474,181		SCHENCK	10/2/1984
		4,553,543		AMARASINGHE	11/19/1985
		4,557,265		ANDERSSON	12/10/1985
		4,583,541		BARRY	4/22/1986
		4,595,007		MERICLE ET AL.	6/17/1986
		4,602,636		NOILES	7/29/1986
		4,607,637		BERGGREN ET AL.	8/26/1986

FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/760,634		ATTY. DOCKET NO.: D0188.70165US02	
				FILING DATE: 01/20/2004		CONFIRMATION NO.: 8269	
				APPLICANT: SANCOFF et al			
				GROUP ART UNIT: 3731		EXAMINER: Not Yet Assigned	
Sheet	2	of	6				

U.S. PATENT DOCUMENTS (Continued)

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		4,610,383		ROTHFUSS ET AL.	09/09/1986
		4,612,933		BRINKERHOFF	09/23/1986
		4,624,257		BERGGREN ET AL.	11/25/1986
		4,643,190		HEIMBERGER	2/17/1987
		4,644,651		JACOBSEN	2/24/1987
		4,669,473		RICHARDS ET AL.	06/02/1987
		4,705,040		MUELLER ET AL.	11/10/1987
		4,741,330		HAYHURST	05/03/1988
		4,747,358		MOLL ET AL.	5/31/1988
		4,760,848		HASSON	8/2/1988
		4,763,669		JAEGER	8/16/1988
		4,803,984		NARAYANAN ET AL.	2/14/1989
		4,819,635		SHAPIRO	4/11/1989
		4,890,615		CASPARI	1/2/1990
		4,901,721		HAKKI	2/20/1990
		4,915,107		REBUFFAT ET AL.	4/10/1990
		4,923,461		CASPARI	5/8/1990
		4,935,027		YOON ET AL.	6/19/1990
		4,938,214		SPECHT ET AL.	7/3/1990
		4,941,466		ROMANO	7/17/1990
		4,955,887		ZIRM	9/11/1990
		4,957,498		CASPARI	9/18/1990
		4,966,600		SONGER ET AL.	10/30/1990
		5,002,564		MCGREGOR ET AL.	3/26/1991
		5,004,469		PALMIERI ET AL.	4/2/1991
		5,021,059		KENSEY	6/4/1991
		5,037,433		WILK ET AL.	08/06/1991
		5,133,735		SLATER ET AL.	7/28/1992
		5,147,373		FERZLI	09/15/1992
		5,161,725		MURRAY	11/10/1992
		5,174,300		BALES ET AL.	12/29/1992
		5,192,298		SMITH ET AL.	3/9/1993
		5,211,650		NODA ET AL.	5/18/1993
		5,217,465		STEPPE	6/8/1993
		5,219,357		HONKANEN ET AL.	6/15/1993
		5,234,453		SMITH ET AL.	8/10/1993

FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/760,634	ATTY. DOCKET NO.: D0188.70165US02
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		Number	Kind Code		
		5,242,459		BUELNA	9/7/1993
		5,254,126		FILIPI	10/19/1993
		5,261,917		HASSON ET AL.	11/16/1993
		5,290,284		ADAIR	3/1/1994
		5,304,183		GOURLAY ET AL.	4/19/1994
		5,306,281		BEURRIER	4/26/1994
		5,308,353		BEURRIER	5/3/1994
		5,308,357		LICHTMAN	5/3/1994
		5,324,308		PIERCE	6/28/1994
		5,333,625		KLEIN	8/2/1994
		5,334,199		YOON	8/2/1994
		5,356,424		BUZERAK ET AL.	10/18/1994
		5,370,658		SCHELLER ET AL.	12/6/1994
		5,372,604		TROTT	12/13/1994
		5,386,741		RENNEX	2/7/1995
		5,387,221		BISGAARD ET AL.	2/7/1995
		5,411,522		TROTT	5/2/1995
		5,417,700		EGAN ET AL.	5/23/1995
		5,417,701		HOLMES	5/23/1995
		5,423,821		PASQUE	6/13/1995
		5,431,670		HOLMES	7/11/1995
		5,437,681		MEADE ET AL.	8/1/1995
		5,447,512		WILSON	9/5/1995
		5,458,609		GORDON ET AL.	10/17/1995
		5,474,554		KU	12/12/1995
		5,478,093		EIBL ET AL.	12/26/1995
		5,496,334		KLUNDT ET AL.	3/5/1996
		5,498,256		FURNISH	3/12/1996
		5,499,990		SCHULKEN	3/19/1996
		5,500,001		TROTT	3/19/1996
		5,501,683		TROTT	3/26/1996
		5,501,688		WHITESIDE ET AL.	3/26/1996
		5,501,692		RIZA ET AL.	3/26/1996
		5,501,698		ROTH ET AL.	3/26/1996
		5,522,280		CASPARI ET AL.	06/04/1996
		5,527,321		Hinchliffe	06/18/1996

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		Number	Kind Code		
		5,527,322		KLEIN	6/18/1996
		5,571,119		ATALA ET AL.	11/5/1996
		5,578,044		GORDON	11/26/1996
		5,582,616		BOLDUC	12/10/1996
		5,618,306		ROTH ET AL.	4/8/1997
		5,665,096		YOON ET AL.	9/9/1997
		5,674,230		TOVEY ET AL.	10/7/1997
		5,690,653		RICHARDSON	11/25/1997
		5,709,693		TAYLOR	1/20/1998
		5,713,910		GORDON	2/3/1998
		5,720,766		ZANG ET AL.	2/24/1998
		5,728,112		YOON	3/17/1998
		5,755,728		MAKI ET AL.	5/26/1998
		5,759,188		YOON	6/2/1998
		5,766,186		FARAZ ET AL.	6/16/1998
		5,766,217		CHRISTY	6/16/1998
		5,776,150		NOLAN ET AL.	7/7/1998
		5,782,844		YOON	7/21/1998
		5,792,152		KLEIN	8/11/1998
		5,797,927		YOON	8/25/1998
		5,799,672		HANSBURY	9/1/1998
		5,810,851		YOON	9/22/1998
		5,810,882		BOLDUC	9/22/1998
		5,814,054		KORTENBACH ET AL.	9/29/1998
		5,824,008		BOLDUC ET AL.	10/20/1998
		5,830,221		STEIN	11/3/1998
		5,830,234		WOJCIECHOWICZ ET AL.	11/3/1998
		5,891,140		GINN ET AL.	4/6/1999
		5,911,727		TAYLOR	6/15/1999
		5,972,004		WILLIAMSON, IV	10/26/1999
		6,048,351		GORDON ET AL	04/11/2000
		6,074,404		STALKER	6/13/2000
		6,099,537		SUGAI	8/8/2000
		6,187,019		STEFANCHIK	2/13/2001
		6,206,893		KLEIN	3/27/2001
		6,296,656		BOLDUC	10/2/2001

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		Number	Kind Code		
		6,331,182		TIEFENBRUN ET AL.	12/18/2001
		6,332,889		SANCOFF ET AL.	12/25/2001
		6,383,208		SANCOFF ET AL.	05/07/2002
		6,439,446		BARRY	08/08/1995
		6,454,778		KORTENBACH	9/24/2002
		6,511,489		FIELD ET AL.	01/28/2003
		6,514,263		STEFANCHIK	2/4/2003
		6,517,553		KLEIN	2/11/2003
		6,520,973		MCGARRY ET AL.	2/18/2003
		6,527,785		SANCOFF ET AL.	03/04/2003
		6,530,932		SWAYZE	3/11/2003
		6,562,051		BOLDUC	5/13/2003
		6,663,643		FIELD ET AL.	12/16/2003
		6,679,895		SANCOFF ET AL.	01/20/2004
		6,682,540		SANCOFF ET AL.	01/27/2004
		6,740,099		DOYLE ET AL.	05/27/2004
		6,767,352		FIELD ET AL.	07/24/2004
		6,786,913		SANCOFF ET AL.	09/07/2004
		Re. 28,932		NOILES	08/17/1996
		2002/0128666	A1	SANCOFF ET AL.	09/12/2002
		2003/0028202	A1	SANCOFF ET AL.	02/06/2002
		2003/0023250	A1	WATSCHKE ET AL	01/30/2003
		2003/0083695	A1	MORRIS ET AL.	05/01/2003
		2003/0105473	A1	MILLER	06/06/2003
		2003/0105475	A1	SANCOFF ET AL.	06/05/2003
		2003/0105476	A1	SANCOFF ET AL.	06/05/2003
		2003/0114863	A1	FIELD ET AL.	06/19/2003
		2003/0135226	A1	BOLDUC	07/17/2003
		2003/0171761	A1	SANCOFF ET AL.	03/04/2003
		2004/0073237	A1	LEINSING ET AL.	04/15/2004
		2004/0087979	A1	FIELD ET AL.	05/06/2004
		2004/0092967	A1	SANCOFF ET AL.	05/13/2004
		2004/0133221	A1	SANCOFF ET AL.	07/08/2004
		2004/0158267	A1	SANCOFF ET AL.	08/12/2004
		2004/0254592	A1	DICARLO ET AL.	12/16/2004
		2005/0043747	A1	FIELD ET AL.	02/24/2005
		2005/0070922	A1	FIELD ET AL.	03/31/2005

FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/760,634		ATTY. DOCKET NO.: D0188.70165US02		
				FILING DATE: 01/20/2004		CONFIRMATION NO.: 8269		
				APPLICANT: SANCOFF et al				
				GROUP ART UNIT: 3731		EXAMINER: Not Yet Assigned		
Sheet	6	of	6					

U.S. PATENT DOCUMENTS (Continued)

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		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		DE	2927143		CORDIS CORPORATION	01/24/1980	No
		EP	0121362		ETHICON, INC.	10/10/1984	N/A
		GB	2025236		CORDIS CORPORATION	01/23/1980	N/A
		WO	02/34167		ST. JUDE MEDICAL, INC.	05/02/2002	N/A
		WO	02/43569		INTUITIVE SURGICAL, INC.	06/06/2002	N/A
		WO	96/27331		YOON	09/12/1996	N/A

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER:	DATE CONSIDERED:
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]